

REMARKS

In the Action, claim 1 was indicated as being withdrawn. Since that claim was retained in this case simply for priority purposes, it has been officially cancelled from the case by this Amendment.

Claim 13 was rejected under 35 U.S.C. §103 as being unpatentable over Figures 1-3 and the Singer et al. patent (U.S. No. 5,100,683). By this Amendment, Claim 13 has been amended to more clearly point out the Applicant's invention. It is submitted that revised Claim 13, as well as new Claims 14-17, which are dependent therefrom, patentably distinguish from the cited prior art and are allowable.

A brief review of the subject matter of the independent claim 13 shows the clear differences between the subject matter of the invention and the subject matter of the Singer et al. patent and the other prior art. Claim 13 is directed to a method for continuously coating individual pieces of gum material in a rotating drum member in which a plurality of layers of the coating material are coated on the cores of gum material. The drum member is inclined to provide a "first in-first out" processing of the coating gum members. The present invention provides a "smooth, thick shell of coating materials" on each of the gum materials which are comparable to coatings formerly applied by "batch-type coating processes" and in a faster manner. The coating also has a substantially uniform thickness on the cores of gum material.

The Applicant's invention is an improvement over prior batch-type processes which were used for producing coated chewing gum products, such as Chiclets and the like. In order to achieve a satisfactory commercially acceptable coating, it is necessary to apply a multitude of thin layers on the gum products. The coating needs to be thick in order to provide a requisite crunchiness of the product to the consumer. In order to provide a smooth, thick acceptable coating with prior batch-type processes, it was necessary to coat the products on the order

of 40-60 times. Batch-type processes were very labor intensive and took 6-7 hours to produce a final commercially acceptable product.

With the present invention, on the other hand, the speed of the process has improved immensely, approximately 50 percent or more, and a comparable commercial product is produced. The result in savings in time and expense are self-evident. The claims set forth the applicant's invention in a manner which distinguishes it from the prior art. For example, both of the independent claims require a "smooth, thick shell of coating material" to be formed on the gum products, the shell having a substantially uniform thickness and being "comparable to coatings formed by batch-type coating processes." The claims also indicate that the comparable coatings are formed in a "faster manner" than prior art batch-type products.

It is believed that the present claims fully distinguish the present invention from the Singer et al. patent, as well as all other known prior art. For example, the Singer et al. patent does not disclose a "first in-first out" coating process, or the production of a smooth, thick coating of materials, let alone a coating which is comparable to any prior batch-type processes or in a faster manner.

Although Singer et al. indicates that the reel in its process could be inclined, this does not mean that the process is a "first-in, first out" process. Also, although Singer et al. indicates that multiple coats could be applied to some products, the reference does not disclose or suggest a thick, hard shell coating similar to that produced by slower, inefficient processes and systems.

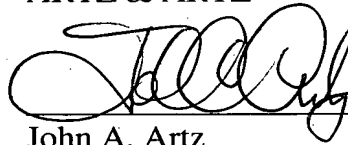
New dependent claims 14-17 have also been added to the case. These claims relative to the inclusion of a gum Arabic ingredient in the coating material, and more specifically to the use of a higher proportion of gum Arabic in the initial coating layers on the cores of gum material. This helps provide a smoother, thicker, more uniform coating in a faster manner.

Finally, the "Cross-Reference" to related applications has been amended to bring the status of U.S. application Serial No. 09/374,935 up to date. That application matured into U.S. Patent No. 6,365,203 on April 2, 2002.

In view of the foregoing, it is submitted that all of the claims remaining in the case, namely 13-17 patentably distinguish from the prior art and are in condition for allowance. Favorable action is respectfully submitted.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'John A. Artz', is written over a horizontal line.

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